

REMARKS

Claims 1-16 are pending in the present application. By this Amendment, Figs. 1-5(4) are corrected pursuant to the attached Replacement Sheets. Reconsideration of the present application is respectfully requested.

Applicant gratefully acknowledges that the Office Action indicates that claims 5-9 and 11-15 are allowed.

I. Certified Copy of the Priority Document

The Office Action's Summary indicates that some of the certified copies of priority documents have been received. However, Applicant submitted a claim for priority claiming benefit to a single document. A certified copy of Japanese Application No. 2000-003942 was submitted with the claim for priority on March 23, 2001. In addition, the Office Actions' Summaries dated May 2, 2002 and November 20, 2002 indicate that all certified copies of the priority documents have been received. Applicant requests the Examiner to verify that the certified copy of the priority document has been received.

II. The Drawings Satisfy All Formal Requirements

The Office Action objects to the drawings because the foreign language text is used for labeling of the Figures. Applicant submits Replacement Sheets of formal drawings attached hereto to obviate this objection. Withdrawal of the objection to the drawings is respectfully requested.

III. The Claims Define Allowable Subject Matter

The Office Action rejects claims 1-3 under 35 U.S.C. §102(e) over U.S. Patent No. 6,346,461 to McCarthy. The rejection is respectfully traversed.

Applicant submits that McCarthy is not effective as prior art with respect to the present application under any subsection of 35 U.S.C. §102. On March 23, 2001, Applicant filed a claim for priority and a certified copy of Japanese Application 2000-003942 which

was filed in Japan on January 12, 2000. Applicant submits concurrently herewith a verified translation of Japanese Patent Application No. 2000-003942 pursuant to 37 C.F.R. §1.55(a). The U.S. filing date of McCarthy is May 15, 2000 which is after the priority date to which this application is entitled. Accordingly, Applicant respectfully submits that McCarthy is not available as prior art with respect to the present application, and thus cannot preclude patentability under 35 U.S.C. §102. Applicant respectfully asserts that the rejection of claims 1-3 under 35 U.S.C. §102 should be withdrawn.

IV. Conclusion

Claims 4, 10 and 16 have been withdrawn from consideration. Applicant respectfully requests the Examiner to rejoin claims 4, 10 and 16. Applicant respectfully asserts that rejoinder is proper based on allowability of claims 1, 5 and 11.

For at least these reasons, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JML/vgp

Attachments:

Replacement Sheets 1-5(4)

Verified English Translation of Japanese Patent No. 2000-003942

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